

By the Committees on Comprehensive Planning; Commerce,
Economic Opportunities, and Consumer Services; and Senator
Saunders

316-2611-04

1 A bill to be entitled
2 An act relating to economic stimulus; amending
3 s. 163.2517, F.S.; adding institutions of
4 higher education to participants in the
5 collaborative planning process for urban infill
6 and redevelopment areas; amending s. 163.2526,
7 F.S.; specifying criteria for evaluating the
8 performance of local governments in the
9 implementation of urban infill and
10 redevelopment area planning grants and
11 implementation grants; directing the Office of
12 Tourism, Trade, and Economic Development to
13 develop methods and procedures to assist state
14 agencies and local governments in obtaining
15 state and local grants for revitalization
16 programs for distressed urban communities;
17 directing the Office of Program Policy Analysis
18 and Government Accountability to identify and
19 review current state economic development
20 programs created by statute relative to the
21 revitalization of the state's distressed
22 communities; requiring a report to the
23 Legislature; specifying components of the
24 report; amending s. 212.08, F.S.; revising
25 sales-price criteria for characterizing
26 business property purchased for use in an
27 enterprise zone; amending s. 212.097, F.S.;
28 revising provisions providing for an urban job
29 tax credit program to apply to designated urban
30 job tax credit areas rather than high crime
31 areas; revising and providing definitions,

1 eligibility criteria, application procedures
2 and requirements, and area characteristics and
3 criteria; authorizing the transfer of unused
4 credits; specifying the use of transferred
5 credits; amending s. 212.098, F.S.; allowing
6 the transfer of unused credits taken under the
7 Rural Job Tax Credit Program; amending s.
8 220.13, F.S.; providing that amounts included
9 in taxable income by reason of membership or
10 ownership in a limited liability company
11 engaged in a space flight business may be
12 subtracted from taxable income for purposes of
13 determining adjusted federal income; amending
14 s. 220.1895, F.S.; conforming provisions to
15 changes made by the act; removing an obsolete
16 reference; amending s. 288.1045, F.S.;
17 extending, under certain conditions, the period
18 applicable to an exemption under the qualified
19 defense contractor tax refund program; amending
20 s. 288.106, F.S.; extending, under certain
21 conditions, the period applicable to an
22 exemption under the tax refund program for
23 qualified target industry businesses; providing
24 for the continuation of certain tax-refund
25 agreements beyond the expiration date
26 prescribed in this act; amending s. 288.901,
27 F.S.; revising operational criteria of members
28 of the board of directors of Enterprise
29 Florida, Inc.; amending s. 288.90151, F.S.;
30 revising requirements, criteria, and
31 limitations for returns on investment from

1 activities of Enterprise Florida, Inc.;
2 amending s. 288.903, F.S.; deleting an
3 employment compensation limitation for
4 employees of Enterprise Florida, Inc.; amending
5 s. 288.904, F.S.; revising limitations on
6 contractual powers of the board of directors of
7 Enterprise Florida, Inc.; amending s. 288.905,
8 F.S.; revising a pay raise or bonus limitation
9 for certain employees; repealing s. 288.041(3)
10 and (4), F.S., relating to Enterprise Florida,
11 Inc., and the Department of Commerce assisting
12 in expanding the solar energy industry in this
13 state; repealing s. 288.9015(3), F.S., relating
14 to Enterprise Florida, Inc., responsibility to
15 develop a comprehensive approach to workforce
16 development; amending s. 290.00675, F.S.;
17 authorizing the Office of Tourism, Trade, and
18 Economic Development to amend the boundaries of
19 a certain enterprise zone; providing a
20 limitation; providing conditions; amending s.
21 626.015, F.S.; defining the term "personal
22 lines agent"; amending s. 626.022, F.S.;
23 providing for application; amending s. 626.241,
24 F.S.; limiting the scope of personal lines
25 agent examinations; amending s. 626.311, F.S.;
26 limiting the types of business that may be
27 transacted by personal lines agents; amending
28 s. 626.727, F.S.; providing that certain
29 provisions apply to personal lines agents;
30 amending s. 626.732, F.S.; revising certain
31 education and experience requirements for

1 personal lines agents; amending s. 626.747,
2 F.S.; requiring branch agencies to have certain
3 licensed agents at each location; amending s.
4 627.351, F.S.; providing that certain employees
5 of the Citizens' Property Insurance Corporation
6 need not be licensed as agents; providing that
7 the act does not require the Department of
8 Financial Services to begin issuing certain
9 licenses by the effective date of the act,
10 under specified conditions; providing effective
11 dates.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Paragraph (c) is added to subsection (2) of
16 section 163.2517, Florida Statutes, to read:

17 163.2517 Designation of urban infill and redevelopment
18 area.--

19 (2)

20 (c) If a community college, university, or other
21 institution of higher education is within the geographical
22 vicinity, local government grant applicants are encouraged to
23 involve such institutions in the visioning and collaborative
24 planning process and to enter into agreements that the
25 institution will contribute resources and expertise to the
26 redevelopment effort.

27 Section 2. Section 163.2526, Florida Statutes, is
28 amended to read:

29 163.2526 Review and evaluation.--

30 (1) Before the 2004 Regular Session of the
31 Legislature, the Office of Program Policy Analysis and

1 Government Accountability shall perform a review and
2 evaluation of ss. 163.2511-163.2526, including the financial
3 incentives listed in s. 163.2520. The report must evaluate the
4 effectiveness of the designation of urban infill and
5 redevelopment areas in stimulating urban infill and
6 redevelopment and strengthening the urban core. A report of
7 the findings and recommendations of the Office of Program
8 Policy Analysis and Government Accountability shall be
9 submitted to the President of the Senate and the Speaker of
10 the House of Representatives before the 2004 Regular Session
11 of the Legislature.

12 (2) Subsequent to June 1, 2004, local governments that
13 are awarded grants pursuant to s. 163.2523 shall make annual
14 reports to the Department of Community Affairs on performance
15 measures identified in the urban infill and redevelopment plan
16 pursuant to s. 163.2517(3)(n).

17 (a) Local governments that receive planning grants
18 shall report their progress in creating urban infill and
19 redevelopment plans. The report shall include:

20 1. A description of the redevelopment objects of the
21 area;

22 2. Information on stakeholder involvement in creating
23 plans;

24 3. Specification of whether goals of the plan are
25 consistent with community input they received;

26 4. Specification of whether plans were adopted by
27 local governments; and

28 5. Identify which local incentives were approved to
29 encourage private investment.

30 (b) Local governments that receive implementation
31 grants shall report:

1 1. Progress in implementing activities specified in
2 their urban infill and redevelopment plans;

3 2. Changes in economic and demographic indicators over
4 time and how these changes compare to objectives specified in
5 their urban infill and redevelopment plans; and

6 3. Information on the types and dollar amounts of
7 financial incentives used to encourage private investment in
8 designated areas.

9 (c) Grant recipients shall establish appropriate
10 measures, such as inputs, outputs, and outcomes, and standards
11 for evaluating the impact of the grants on local conditions.
12 These measures and standards must be directly linked to goals
13 for redeveloping an area specified in each grant recipient's
14 urban infill and redevelopment plan pursuant to s. 163.2517.
15 Grant recipients shall also compile baseline data on
16 conditions existing prior to an area's designation which can
17 be used to assess changes in conditions over time. Depending
18 on the goals of a grant recipient's urban infill and
19 redevelopment plan, baseline data may need to be compiled on
20 property tax revenues, property tax values, net job creation,
21 and changes in characteristics of resident population to
22 include employment rates, high school graduation rates,
23 homeownership rates, and median income levels.

24 (3) The Department of Community Affairs shall provide
25 technical assistance to recipients of planning and
26 implementation grants. Such assistance must include assisting
27 grant recipients in creating appropriate measures, standards,
28 and uniform data collection procedures to ensure the
29 reliability and consistency of data that will be used to
30 evaluate performance. The department shall also adopt rules to
31 specify reporting requirements for grant recipients.

1 Section 3. The Office of Tourism, Trade, and Economic
2 Development of the Executive Office of the Governor shall
3 develop methods and procedures to assist state agencies and
4 local governments in obtaining state and federal grants for
5 revitalization programs for distressed urban communities; to
6 develop and maintain a current listing of available federal
7 grants; to assign appropriate staff as contacts for
8 information on each grant; and to provide technical assistance
9 necessary for local governments to submit completed grant
10 proposals. Such methods may include the expansion of the
11 existing rural resource directory database to include grants
12 available to urban areas and designation of one or more state
13 entities to provide such assistance as necessary.

14 Section 4. (1) The Office of Program Policy Analysis
15 and Government Accountability shall, with the assistance of
16 other legislative committee and agency staff, as appropriate,
17 identify and review current state economic development
18 programs created by statute relative to the revitalization of
19 Florida's distressed communities and shall provide a report to
20 the Legislature by January 31, 2005.

21 (2) Specifically, the report must:

22 (a) Identify and profile state economic development
23 programs, including the use of incentives, to be included in
24 the review;

25 (b) Through site visits, review how local governments
26 use the state programs alone or in combination to help spur
27 revitalization of distressed communities;

28 (c) Consider in its fieldwork municipal or county
29 jurisdictions with small (fewer than 30,000) populations,
30 medium (between 30,000 and 75,000) populations, and large
31 (more than 75,000) populations;

1 (d) Identify best practices contributing to the
2 successful implementation of these programs; and

3 (e) Identify state practices that facilitate or impede
4 the use of these programs.

5 Section 5. Paragraph (h) of subsection (5) of section
6 212.08, Florida Statutes, is amended to read:

7 212.08 Sales, rental, use, consumption, distribution,
8 and storage tax; specified exemptions.--The sale at retail,
9 the rental, the use, the consumption, the distribution, and
10 the storage to be used or consumed in this state of the
11 following are hereby specifically exempt from the tax imposed
12 by this chapter.

13 (5) EXEMPTIONS; ACCOUNT OF USE.--

14 (h) Business property used in an enterprise zone.--

15 1. Business property purchased for use by businesses
16 located in an enterprise zone which is subsequently used in an
17 enterprise zone shall be exempt from the tax imposed by this
18 chapter. This exemption inures to the business only through a
19 refund of previously paid taxes. A refund shall be authorized
20 upon an affirmative showing by the taxpayer to the
21 satisfaction of the department that the requirements of this
22 paragraph have been met.

23 2. To receive a refund, the business must file under
24 oath with the governing body or enterprise zone development
25 agency having jurisdiction over the enterprise zone where the
26 business is located, as applicable, an application which
27 includes:

28 a. The name and address of the business claiming the
29 refund.

30
31

1 b. The identifying number assigned pursuant to s.
2 290.0065 to the enterprise zone in which the business is
3 located.

4 c. A specific description of the property for which a
5 refund is sought, including its serial number or other
6 permanent identification number.

7 d. The location of the property.

8 e. The sales invoice or other proof of purchase of the
9 property, showing the amount of sales tax paid, the date of
10 purchase, and the name and address of the sales tax dealer
11 from whom the property was purchased.

12 f. Whether the business is a small business as defined
13 by s. 288.703(1).

14 g. If applicable, the name and address of each
15 permanent employee of the business, including, for each
16 employee who is a resident of an enterprise zone, the
17 identifying number assigned pursuant to s. 290.0065 to the
18 enterprise zone in which the employee resides.

19 3. Within 10 working days after receipt of an
20 application, the governing body or enterprise zone development
21 agency shall review the application to determine if it
22 contains all the information required pursuant to subparagraph
23 2. and meets the criteria set out in this paragraph. The
24 governing body or agency shall certify all applications that
25 contain the information required pursuant to subparagraph 2.
26 and meet the criteria set out in this paragraph as eligible to
27 receive a refund. If applicable, the governing body or agency
28 shall also certify if 20 percent of the employees of the
29 business are residents of an enterprise zone, excluding
30 temporary and part-time employees. The certification shall be
31 in writing, and a copy of the certification shall be

1 transmitted to the executive director of the Department of
2 Revenue. The business shall be responsible for forwarding a
3 certified application to the department within the time
4 specified in subparagraph 4.

5 4. An application for a refund pursuant to this
6 paragraph must be submitted to the department within 6 months
7 after the tax is due on the business property that is
8 purchased.

9 5. The provisions of s. 212.095 do not apply to any
10 refund application made pursuant to this paragraph. The amount
11 refunded on purchases of business property under this
12 paragraph shall be the lesser of 97 percent of the sales tax
13 paid on such business property or \$5,000, or, if no less than
14 20 percent of the employees of the business are residents of
15 an enterprise zone, excluding temporary and part-time
16 employees, the amount refunded on purchases of business
17 property under this paragraph shall be the lesser of 97
18 percent of the sales tax paid on such business property or
19 \$10,000. A refund approved pursuant to this paragraph shall be
20 made within 30 days of formal approval by the department of
21 the application for the refund. No refund shall be granted
22 under this paragraph unless the amount to be refunded exceeds
23 \$100 in sales tax paid on purchases made within a 60-day time
24 period.

25 6. The department shall adopt rules governing the
26 manner and form of refund applications and may establish
27 guidelines as to the requisites for an affirmative showing of
28 qualification for exemption under this paragraph.

29 7. If the department determines that the business
30 property is used outside an enterprise zone within 3 years
31 from the date of purchase, the amount of taxes refunded to the

1 business purchasing such business property shall immediately
2 be due and payable to the department by the business, together
3 with the appropriate interest and penalty, computed from the
4 date of purchase, in the manner provided by this chapter.

5 Notwithstanding this subparagraph, business property used
6 exclusively in:

- 7 a. Licensed commercial fishing vessels,
- 8 b. Fishing guide boats, or
- 9 c. Ecotourism guide boats

10
11 that leave and return to a fixed location within an area
12 designated under s. 370.28 are eligible for the exemption
13 provided under this paragraph if all requirements of this
14 paragraph are met. Such vessels and boats must be owned by a
15 business that is eligible to receive the exemption provided
16 under this paragraph. This exemption does not apply to the
17 purchase of a vessel or boat.

18 8. The department shall deduct an amount equal to 10
19 percent of each refund granted under the provisions of this
20 paragraph from the amount transferred into the Local
21 Government Half-cent Sales Tax Clearing Trust Fund pursuant to
22 s. 212.20 for the county area in which the business property
23 is located and shall transfer that amount to the General
24 Revenue Fund.

25 9. For the purposes of this exemption, "business
26 property" means new or used property defined as "recovery
27 property" in s. 168(c) of the Internal Revenue Code of 1954,
28 as amended, except:

- 29 a. Property classified as 3-year property under s.
30 168(c)(2)(A) of the Internal Revenue Code of 1954, as amended;

31

1 b. Industrial machinery and equipment as defined in
2 sub-subparagraph (b)6.a. and eligible for exemption under
3 paragraph (b);

4 c. Building materials as defined in sub-subparagraph
5 (g)8.a.; and

6 d. Business property having a sales price of under
7 ~~\$500~~~~\$5,000~~ per unit.

8 10. The provisions of this paragraph shall expire and
9 be void on December 31, 2005.

10 Section 6. Section 212.097, Florida Statutes, is
11 amended to read:

12 212.097 Designated Urban ~~High-Crime Area~~ Job Tax
13 Credit Area Program.--

14 (1) As used in this section, the term:

15 (a) "Eligible business" means any sole proprietorship,
16 firm, partnership, or corporation that is located in a
17 designated urban job tax credit area ~~qualified county~~ and is
18 predominantly engaged in, or is headquarters for a business
19 predominantly engaged in, activities usually provided for
20 consideration by firms classified within the following
21 standard industrial classifications: SIC 01-SIC 09
22 (agriculture, forestry, and fishing); SIC 20-SIC 39
23 (manufacturing); SIC 52-SIC 57 and SIC 59 (retail); SIC 422
24 (public warehousing and storage); SIC 70 (hotels and other
25 lodging places); SIC 7391 (research and development); SIC 781
26 (motion picture production and allied services); SIC 7992
27 (public golf courses); ~~and~~ SIC 7996 (amusement parks); and a
28 targeted industry eligible for the qualified target industry
29 business tax refund under s. 288.106. A call center or similar
30 customer service operation that services a multistate market
31 or international market is also an eligible business. In

1 addition, the Office of Tourism, Trade, and Economic
2 Development may, as part of its final budget request submitted
3 pursuant to s. 216.023, recommend additions to or deletions
4 from the list of standard industrial classifications used to
5 determine an eligible business, and the Legislature may
6 implement such recommendations. Excluded from eligible
7 receipts are receipts from retail sales, except such receipts
8 for SIC 52-SIC 57 and SIC 59 (retail) hotels and other lodging
9 places classified in SIC 70, public golf courses in SIC 7992,
10 and amusement parks in SIC 7996. For purposes of this
11 paragraph, the term "predominantly" means that more than 50
12 percent of the business's gross receipts from all sources is
13 generated by those activities usually provided for
14 consideration by firms in the specified standard industrial
15 classification. The determination of whether the business is
16 located in a designated urban job tax credit ~~qualified~~
17 ~~high-crime~~ area ~~and the tier ranking of that area~~ must be
18 based on the date of application for the credit under this
19 section. Commonly owned and controlled entities are to be
20 considered a single business entity.

21 (b) "Qualified employee" means any employee of an
22 eligible business who performs duties in connection with the
23 operations of the business on a regular, full-time basis for
24 an average of at least 36 hours per week for at least 3 months
25 within the designated urban job tax credit ~~qualified~~
26 ~~high-crime~~ area in which the eligible business is located. An
27 owner or partner of the eligible business is not a qualified
28 employee. The term also includes an employee leased from an
29 employee leasing company licensed under chapter 468, if such
30 employee has been continuously leased to the employer for an
31 average of at least 36 hours per week for more than 6 months.

1 (c) "New business" means any eligible business first
2 beginning operation on a site in a designated urban job tax
3 credit ~~qualified high-crime~~ area and clearly separate from any
4 other commercial or business operation of the business entity
5 within a designated urban job tax credit ~~qualified high-crime~~
6 area. A business entity that operated an eligible business
7 within a designated urban job tax credit ~~qualified high-crime~~
8 area within the 48 months before the period provided for
9 application by subsection (2) is not considered a new
10 business.

11 (d) "Existing business" means any eligible business
12 that does not meet the criteria for a new business.

13 (e) "Designated urban job tax credit ~~Qualified~~
14 ~~high-crime~~ area" means an area selected by the Office of
15 Tourism, Trade, and Economic Development in the following
16 manner: every third year, the office shall rank ~~and tier~~ those
17 areas nominated under subsection (7), ~~according to the~~ highest
18 level of distress experienced in the categories enumerated
19 under subsection (7). The Office of Tourism, Trade, and
20 Economic Development shall designate the 30
21 highest-distress-profile urban areas as eligible participants
22 under the urban job tax credit program following prioritized
23 criteria:

24 1. ~~Highest arrest rates within the geographic area for~~
25 ~~violent crime and for such other crimes as drug sale, drug~~
26 ~~possession, prostitution, vandalism, and civil disturbances;~~

27 2. ~~Highest reported crime volume and rate of specific~~
28 ~~property crimes such as business and residential burglary,~~
29 ~~motor vehicle theft, and vandalism;~~

30 3. ~~Highest percentage of reported index crimes that~~
31 ~~are violent in nature;~~

1 ~~4. Highest overall index crime volume for the area;~~
2 and
3 ~~5. Highest overall index crime rate for the geographic~~
4 ~~area.~~

5
6 ~~Tier-one areas are ranked 1 through 5 and represent the~~
7 ~~highest crime areas according to this ranking. Tier-two areas~~
8 ~~are ranked 6 through 10 according to this ranking. Tier-three~~
9 ~~areas are ranked 11 through 15. Notwithstanding this~~
10 ~~definition, "designated urban job tax credit ~~qualified~~~~
11 ~~high-crime area" also means an area that has been designated~~
12 ~~as a federal Empowerment Zone pursuant to the Taxpayer Relief~~
13 ~~Act of 1997 or the Community Tax Relief Act of 2000. Such a~~
14 ~~designated area is ranked in tier three until the areas are~~
15 ~~reevaluated by the Office of Tourism, Trade, and Economic~~
16 ~~Development.~~

17 (f) "Central business district" means an area
18 comprised of at least 80 percent commercial and government
19 buildings and properties; characterized by a high
20 concentration of retail businesses, service businesses,
21 offices, theaters, and hotels; and located in a Department of
22 Transportation Urban Service Area.

23 (g) "Urban" means a densely populated nonrural area
24 located within an urban county which consists of a cluster of
25 one or more census blocks, each of which has a population
26 density of at least 400 people per square mile, or an area
27 defined by the most recent United States Census as urban.

28 (2) A new eligible business may apply for a tax credit
29 under this subsection once at any time during its first year
30 of operation. A new eligible business in a designated urban
31 job tax credit ~~tier-one qualified high-crime~~ area which has at

1 least 10 qualified employees on the date of application shall
2 receive a ~~\$1,500 tax credit for each such employee. A new~~
3 ~~eligible business in a tier-two qualified high-crime area~~
4 ~~which has at least 20 qualified employees on the date of~~
5 ~~application shall receive a \$1,000 tax credit for each such~~
6 ~~employee. A new eligible business in a tier-three qualified~~
7 ~~high-crime area which has at least 30 qualified employees on~~
8 ~~the date of application shall receive a \$500 tax credit for~~
9 ~~each such employee.~~

10 (3) An existing eligible business may apply for a tax
11 credit under this subsection at any time it is entitled to
12 such credit, except as restricted by this subsection. An
13 existing eligible business in a designated urban job tax
14 credit tier-one qualified high-crime area which on the date of
15 application has at least 10 5 more qualified employees than it
16 had 1 year prior to its date of application shall receive a
17 ~~\$1,500 tax credit for each such additional employee. An~~
18 ~~existing eligible business in a tier-two qualified high-crime~~
19 ~~area which on the date of application has at least 10 more~~
20 ~~qualified employees than it had 1 year prior to its date of~~
21 ~~application shall receive a \$1,000 credit for each such~~
22 ~~additional employee. An existing business in a tier-three~~
23 ~~qualified high-crime area which on the date of application has~~
24 ~~at least 15 more qualified employees than it had 1 year prior~~
25 ~~to its date of application shall receive a \$500 tax credit for~~
26 ~~each such additional employee.~~An existing eligible business
27 may apply for the credit under this subsection no more than
28 once in any 12-month period. Any existing eligible business
29 that received a credit under subsection (2) may not apply for
30 the credit under this subsection sooner than 12 months after
31 the application date for the credit under subsection (2).

1 (4) For any new eligible business receiving a credit
2 pursuant to subsection (2), an additional \$500 credit shall be
3 provided for any qualified employee who is a welfare
4 transition program participant. For any existing eligible
5 business receiving a credit pursuant to subsection (3), an
6 additional \$500 credit shall be provided for any qualified
7 employee who is a welfare transition program participant. Such
8 employee must be employed on the application date and have
9 been employed less than 1 year. This credit shall be in
10 addition to other credits pursuant to this section ~~regardless~~
11 ~~of the tier level of the high-crime area~~. Appropriate
12 documentation concerning the eligibility of an employee for
13 this credit must be submitted as determined by the department.

14 (5) To be eligible for a tax credit under subsection
15 (3), the number of qualified employees employed 1 year prior
16 to the application date must be no lower than the number of
17 qualified employees on the application date on which a credit
18 under this section was based for any previous application,
19 including an application under subsection (2).

20 (6) Any county or municipality, or a county and one or
21 more municipalities together, may apply to the Office of
22 Tourism, Trade, and Economic Development for the designation
23 of an area as a designated urban job tax credit ~~high-crime~~
24 area after the adoption by the governing body or bodies of a
25 resolution that:

26 (a) Finds that an urban ~~a high-crime~~ area exists in
27 such county or municipality, or in both the county and one or
28 more municipalities, which chronically exhibits extreme and
29 unacceptable levels of poverty, unemployment, physical
30 deterioration, and economic disinvestment;

31

1 (b) Determines that the rehabilitation, conservation,
2 or redevelopment, or a combination thereof, of such an urban a
3 ~~high-crime~~ area is necessary in the interest of the health,
4 safety, and welfare of the residents of such county or
5 municipality, or such county and one or more municipalities;
6 and

7 (c) Determines that the revitalization of such an
8 ~~urban a high-crime~~ area can occur if the public sector or
9 private sector can be induced to invest its own resources in
10 productive enterprises that build or rebuild the economic
11 viability of the area.

12 (7) The governing body of the entity nominating the
13 area shall demonstrate ~~provide~~ to the Office of Tourism,
14 Trade, and Economic Development that the area meets the
15 following:

16 (a) Income characteristics:

17 1. Forty percent of area residents are earning wages
18 on an annual basis that are equal to or less than the annual
19 wage of a person who is earning minimum wage; or

20 2. More than 20 percent of residents or families live
21 below the federal standard of poverty for individuals or a
22 family of four.~~The overall index crime rate for the~~
23 ~~geographic area;~~

24 (b) Education characteristics:

25 1. Has a high school dropout rate higher than the
26 county average; or

27 2. Has a high school graduation rate lower than the
28 state average.~~The overall index crime volume for the area;~~

29 (c) Workforce and employment characteristics:

30 1. Has an unemployment rate at least 3 percentage
31 points higher than the state's unemployment rate;

1 2. More than 50 percent of families subject to the
2 welfare-to-work transition time limit are either within 6
3 months of the time limit or are receiving cash assistance
4 under a period of hardship extension to the time limit; or

5 3. Is identified as a labor surplus area using the
6 criteria established by the United States Department of
7 Labor's Employment and Training Administration.~~The percentage~~
8 ~~of reported index crimes that are violent in nature;~~

9 (d) Crime characteristics:

10 1. Has an arrest rate higher than the state's average
11 rate for such crimes as drug sale, drug possession,
12 prostitution, vandalism, and civil disturbances, as recorded
13 by total crime index of the Department of Law Enforcement; or

14 2. Ranks in the top 30 percent of zip codes with
15 reported crimes that are violent in nature.~~The reported crime~~
16 ~~volume and rate of specific property crimes such as business~~
17 ~~and residential burglary, motor vehicle theft, and vandalism;~~
18 ~~and~~

19 (e) Residential and commercial property related
20 characteristics:

21 1. Fifty percent or more of area residents rent;

22 2.a. Property values are within the lower 50 percent
23 of the county's assessed property values;

24 b. More than 5 percent of area homes, apartments, or
25 buildings are abandoned, have been condemned within the
26 previous 24 months, or have a greater number of violations of
27 the Florida Building Code than recorded in the remainder of
28 the county or municipality; or

29 c. Tax or special assessment delinquencies exceed the
30 fair value of the land.~~The arrest rates within the geographic~~
31 ~~area for violent crime and for such other crimes as drug sale,~~

1 ~~drug possession, prostitution, disorderly conduct, vandalism,~~
2 ~~and other public order offenses.~~

3 (8) A municipality, or a county and one or more
4 municipalities together, may not nominate more than one urban
5 ~~high-crime~~ area. However, any county as defined by s.
6 125.011(1) may nominate no more than three urban ~~high-crime~~
7 areas.

8 (9)(a) An area nominated by a county or municipality,
9 or a county and one or more municipalities together, for
10 designation as an urban job tax credit ~~a high-crime~~ area shall
11 be eligible only if it meets the following criteria:

12 1.(a) ~~The selected area does not exceed 20 square~~
13 ~~miles and either~~ has a continuous boundary or consists of not
14 more than three noncontiguous parcels.~~†~~

15 2.(b) The selected area does not exceed the following
16 mileage limitation:

17 a.1. For areas ~~communities~~ having a total population
18 of 150,000 persons or more, the selected area does not exceed
19 20 square miles and is within 10 miles of the central business
20 district of a city.

21 b.2. For areas ~~communities~~ having a total population
22 of 50,000 persons or more, but fewer than 150,000 persons, the
23 selected area does not exceed 10 square miles and is within
24 7.5 miles of the central business district of a city.

25 c.3. For areas ~~communities~~ having a total population
26 of 20,000 persons or more, but fewer than 50,000 persons, the
27 selected area does not exceed 5 square miles and is within 5
28 miles of the central business district of a city.

29 d.4. For areas ~~communities~~ having a total population
30 of fewer than 20,000 persons, the selected area does not
31

1 exceed 3 square miles and is within 3 miles of the central
2 business district of a city.

3 (b) A designated urban job tax credit area may not
4 include any portion of a central business district, unless the
5 poverty rate for each census geographic block group in the
6 district is not less than 30 percent.

7 (10)(a) In order to claim this credit, an eligible
8 business must file under oath with the Office of Tourism,
9 Trade, and Economic Development a statement that includes the
10 name and address of the eligible business and any other
11 information that is required to process the application.

12 (b) Within 30 working days after receipt of an
13 application for credit, the Office of Tourism, Trade, and
14 Economic Development shall review the application to determine
15 whether it contains all the information required by this
16 subsection and meets the criteria set out in this section.
17 Subject to the provisions of paragraph (c), the Office of
18 Tourism, Trade, and Economic Development shall approve all
19 applications that contain the information required by this
20 subsection and meet the criteria set out in this section as
21 eligible to receive a credit.

22 (c) The maximum credit amount that may be approved
23 during any calendar year is \$5 million, ~~of which \$1 million~~
24 ~~shall be exclusively reserved for tier-one areas.~~ The
25 Department of Revenue, in conjunction with the Office of
26 Tourism, Trade, and Economic Development, shall notify the
27 governing bodies in areas designated under this section ~~as~~
28 ~~urban high-crime areas~~ when the \$5 million maximum amount has
29 been reached. Applications must be considered for approval in
30 the order in which they are received without regard to whether
31 the credit is for a new or existing business. This limitation

1 applies to the value of the credit as contained in approved
2 applications. Approved credits may be taken in the time and
3 manner allowed pursuant to this section.

4 (11) If the application is insufficient to support the
5 credit authorized in this section, the Office of Tourism,
6 Trade, and Economic Development shall deny the credit and
7 notify the business of that fact. The business may reapply for
8 this credit within 3 months after such notification.

9 (12) If the credit under this section is greater than
10 can be taken on a single tax return, excess amounts may be
11 taken as credits on any tax return submitted within 12 months
12 after the approval of the application by the department.

13 (13) It is the responsibility of each business to
14 affirmatively demonstrate to the satisfaction of the
15 Department of Revenue that it meets the requirements of this
16 section.

17 (14) Any person who fraudulently claims this credit is
18 liable for repayment of the credit plus a mandatory penalty of
19 100 percent of the credit and is guilty of a misdemeanor of
20 the second degree, punishable as provided in s. 775.082 or s.
21 775.083.

22 (15) A corporation may take the credit under this
23 section against its corporate income tax liability, as
24 provided in s. 220.1895. However, a corporation that applies
25 its job tax credit against the tax imposed by chapter 220 may
26 not receive the credit provided for in this section. A credit
27 may be taken against only one tax.

28 (16) An eligible business may transfer any unused
29 credit in whole or in units of no less than 25 percent of the
30 remaining credit. The entity that acquires the credit may use
31 it in the same manner and with the same limitation as

1 described in this section. Such transferred credits may not be
2 transferred again, although they may succeed to a surviving or
3 acquiring entity subject to the conditions and limitations
4 described in this section.

5 (17)~~(16)~~ The department shall adopt rules governing
6 the manner and form of applications for credit or transfers of
7 credit and may establish guidelines concerning the requisites
8 for an affirmative showing of qualification for the credit
9 under this section.

10 Section 7. Present subsection (12) of section 212.098,
11 Florida Statutes, is redesignated as subsection (13), and a
12 new subsection (12) is added to that section, to read:

13 212.098 Rural Job Tax Credit Program.--

14 (12) An eligible business may transfer any unused
15 credit in whole or in units of not less than 25 percent of the
16 remaining credit. The entity that acquires the credit may use
17 it in the same manner and with the same limitation as
18 described in this section. Such transferred credit may not be
19 transferred again, although the credit may succeed to a
20 surviving or acquiring entity subject to the conditions and
21 limitations described in this section.

22 Section 8. Effective July 1, 2005, paragraph (b) of
23 subsection (1) of section 220.13, Florida Statutes, is amended
24 to read:

25 220.13 "Adjusted federal income" defined.--

26 (1) The term "adjusted federal income" means an amount
27 equal to the taxpayer's taxable income as defined in
28 subsection (2), or such taxable income of more than one
29 taxpayer as provided in s. 220.131, for the taxable year,
30 adjusted as follows:

31 (b) Subtractions.--

1 1. There shall be subtracted from such taxable income:

2 a. The net operating loss deduction allowable for
3 federal income tax purposes under s. 172 of the Internal
4 Revenue Code for the taxable year;~~;~~

5 b. The net capital loss allowable for federal income
6 tax purposes under s. 1212 of the Internal Revenue Code for
7 the taxable year;~~;~~

8 c. The excess charitable contribution deduction
9 allowable for federal income tax purposes under s. 170(d)(2)
10 of the Internal Revenue Code for the taxable year;~~;~~~~and~~

11 d. The excess contributions deductions allowable for
12 federal income tax purposes under s. 404 of the Internal
13 Revenue Code for the taxable year; ~~and~~

14 e. All amounts included in taxable income by reason of
15 membership or ownership of an interest in a limited liability
16 company that:

17 (I) Came into existence before January 1, 2004;

18 (II) Is classified as a partnership for federal income
19 tax purposes;

20 (III) Has at least 3,500 full-time employees in this
21 state throughout the taxable year; and

22 (IV) Is, in this state, engaged primarily in a space
23 flight business as defined in s. 212.031(1)(a)13.

24

25 However, a net operating loss and a capital loss shall never
26 be carried back as a deduction to a prior taxable year, but
27 all deductions attributable to such losses shall be deemed net
28 operating loss carryovers and capital loss carryovers,
29 respectively, and treated in the same manner, to the same
30 extent, and for the same time periods as are prescribed for
31

1 such carryovers in ss. 172 and 1212, respectively, of the
2 Internal Revenue Code.

3 2. There shall be subtracted from such taxable income
4 any amount to the extent included therein the following:

5 a. Dividends treated as received from sources without
6 the United States, as determined under s. 862 of the Internal
7 Revenue Code.

8 b. All amounts included in taxable income under s. 78
9 or s. 951 of the Internal Revenue Code.

10

11 However, as to any amount subtracted under this subparagraph,
12 there shall be added to such taxable income all expenses
13 deducted on the taxpayer's return for the taxable year which
14 are attributable, directly or indirectly, to such subtracted
15 amount. Further, no amount shall be subtracted with respect to
16 dividends paid or deemed paid by a Domestic International
17 Sales Corporation.

18 3. In computing "adjusted federal income" for taxable
19 years beginning after December 31, 1976, there shall be
20 allowed as a deduction the amount of wages and salaries paid
21 or incurred within this state for the taxable year for which
22 no deduction is allowed pursuant to s. 280C(a) of the Internal
23 Revenue Code (relating to credit for employment of certain new
24 employees).

25 4. There shall be subtracted from such taxable income
26 any amount of nonbusiness income included therein.

27 5. There shall be subtracted any amount of taxes of
28 foreign countries allowable as credits for taxable years
29 beginning on or after September 1, 1985, under s. 901 of the
30 Internal Revenue Code to any corporation which derived less
31 than 20 percent of its gross income or loss for its taxable

1 year ended in 1984 from sources within the United States, as
2 described in s. 861(a)(2)(A) of the Internal Revenue Code, not
3 including credits allowed under ss. 902 and 960 of the
4 Internal Revenue Code, withholding taxes on dividends within
5 the meaning of sub-subparagraph 2.a., and withholding taxes on
6 royalties, interest, technical service fees, and capital
7 gains.

8 6. Notwithstanding any other provision of this code,
9 except with respect to amounts subtracted pursuant to
10 subparagraphs 1. and 3., any increment of any apportionment
11 factor which is directly related to an increment of gross
12 receipts or income which is deducted, subtracted, or otherwise
13 excluded in determining adjusted federal income shall be
14 excluded from both the numerator and denominator of such
15 apportionment factor. Further, all valuations made for
16 apportionment factor purposes shall be made on a basis
17 consistent with the taxpayer's method of accounting for
18 federal income tax purposes.

19 Section 9. Section 220.1895, Florida Statutes, is
20 amended to read:

21 220.1895 Rural Job Tax Credit and Designated Urban
22 ~~High-Crime Area~~ Job Tax Credit Area.--There shall be allowed a
23 credit against the tax imposed by this chapter amounts
24 approved by the Office of Tourism, Trade, and Economic
25 Development pursuant to the Rural Job Tax Credit Program in s.
26 212.098 and the Designated Urban ~~High-Crime Area~~ Job Tax
27 Credit Area Program in s. 212.097. A corporation that uses its
28 credit against the tax imposed by this chapter may not take
29 the credit against the tax imposed by chapter 212. If any
30 credit granted under this section is not fully used in the
31 first year for which it becomes available, the unused amount

1 may be carried forward for a period not to exceed 5 years. The
2 carryover may be used in a subsequent year when the tax
3 imposed by this chapter for such year exceeds the credit for
4 such year under this section after applying the other credits
5 and unused credit carryovers in the order provided in s.
6 220.02(8). ~~The Office of Tourism, Trade, and Economic~~
7 ~~Development shall conduct a review of the Urban High-Crime~~
8 ~~Area Job Tax Credit and the Rural Job Tax Credit Program and~~
9 ~~submit its report to the Governor, the President of the~~
10 ~~Senate, and the Speaker of the House of Representatives by~~
11 ~~February 1, 2000.~~

12 Section 10. Subsection (7) of section 288.1045,
13 Florida Statutes, is amended to read:

14 288.1045 Qualified defense contractor tax refund
15 program.--

16 (7) EXPIRATION.--An applicant may not be certified as
17 qualified under this section after June 30, 2009 ~~2004~~.
18 However, a tax-refund agreement that is in effect on that date
19 shall continue in effect in accordance with its terms.

20 Section 11. Subsection (7) of section 288.106, Florida
21 Statutes, is amended to read:

22 288.106 Tax refund program for qualified target
23 industry businesses.--

24 (7) EXPIRATION.--This section expires June 30, 2009
25 2004. However, a tax-refund agreement that is in effect on
26 that date shall continue in effect in accordance with its
27 terms.

28 Section 12. Subsections (7), (8), and (11) of section
29 288.901, Florida Statutes, are amended to read:

30 288.901 Enterprise Florida, Inc.; creation;
31 membership; organization; meetings; disclosure.--

1 (7) The Governor shall serve as chairperson of the
2 board of directors. The board of directors shall biennially
3 elect one of its ~~appointive~~ members as vice chairperson. The
4 president shall keep a record of the proceedings of the board
5 of directors and is the custodian of all books, documents, and
6 papers filed with the board of directors, the minutes of the
7 board of directors, and the official seal of Enterprise
8 Florida, Inc.

9 (8) The board of directors shall meet at least four
10 times each year, upon the call of the chairperson, at the
11 request of the vice chairperson, or at the request of a
12 majority of the membership. A majority of the total number of
13 current, voting ~~all~~ directors ~~fixed by subsection (3)~~ shall
14 constitute a quorum. The board of directors may take official
15 action by a majority vote of the members present at any
16 meeting at which a quorum is present.

17 (11) Notwithstanding the provisions of subsection (3),
18 the board of directors may by resolution appoint at-large
19 members to the board from the private sector, each of whom may
20 serve a 1-year term. At-large members shall have the powers
21 and duties of other members of the board, ~~except that they may~~
22 ~~not serve on an executive committee~~. An at-large member is
23 eligible for reappointment but may not vote on his or her own
24 reappointment. An at-large member shall be eligible to fill
25 vacancies occurring among private-sector appointees under
26 subsection (3).

27 Section 13. Subsection (1), paragraph (b) of
28 subsection (4), and subsections (5), (7), and (8) of section
29 288.90151, Florida Statutes, are amended to read:

30 288.90151 Return on investment from activities of
31 Enterprise Florida, Inc.--

1 (1) The public funds appropriated each year for the
2 operation of Enterprise Florida, Inc., are invested in this
3 public-private partnership to enhance international trade and
4 economic development, to spur job-creating investments, and
5 to create new employment opportunities for Floridians, ~~and to~~
6 ~~prepare Floridians for those jobs~~. This policy will be the
7 Legislature's priority consideration when reviewing the
8 return-on-investment for Enterprise Florida, Inc.

9 (4)

10 (b) The board of directors of Enterprise Florida,
11 Inc., shall adopt for each upcoming fiscal year an operating
12 budget for the organization that specifies the intended uses
13 of the state's operating investment and a plan for securing
14 private-sector support to Enterprise Florida, Inc. Each fiscal
15 year private-sector support to Enterprise Florida, Inc., shall
16 equal no less than ~~100 percent of the state's operating~~
17 ~~investment, including at least~~ \$1 million in cash as defined
18 in paragraph (5)(a), and an additional \$400,000 in cash as
19 defined in paragraphs (5)(a), (b), and (c).

20 (5) Private-sector support in operating Enterprise
21 Florida, Inc., includes:

22 (a) Cash given directly to Enterprise Florida, Inc.,
23 for its operations, excluding contributions from grantees or
24 from companies with Enterprise Florida, Inc., contracts
25 representing more than 5 percent of the value of all
26 Enterprise Florida, Inc., contracts, exclusive of grants, or
27 more than 5 percent of the company's revenues. Cash in this
28 category is not subject to restrictions on the use of
29 appropriated funds.~~operating budget~~

30 (b) Cash jointly raised by Enterprise Florida, Inc.,
31 and a local economic development organization, a group of such

1 organizations, or a statewide business organization that
2 supports collaborative projects.†

3 (c) Cash generated by fees charged for products or
4 services of Enterprise Florida, Inc., and by sponsorship of
5 events, missions, programs, and publications; and

6 ~~(d) In-kind contributions directly to Enterprise~~
7 ~~Florida, Inc., including: business expenditures; business~~
8 ~~services provided; business support; or other business~~
9 ~~contributions that augment the operations, program,~~
10 ~~activities, or assets of Enterprise Florida, Inc., including,~~
11 ~~but not limited to: an individual's time and expertise;~~
12 ~~sponsored publications; private sector staff services; payment~~
13 ~~for advertising placements; sponsorship of events; sponsored~~
14 ~~or joint research; discounts on leases or purchases; mission~~
15 ~~or program sponsorship; and copayments, stock, warrants,~~
16 ~~royalties, or other private resources dedicated to Enterprise~~
17 ~~Florida, Inc.~~

18 (7) As part of the annual report required under s.
19 288.906, Enterprise Florida, Inc., shall include a study
20 ~~provide the Legislature with information~~ quantifying the
21 public's return-on-investment as described in this section for
22 fiscal year 1997-1998 and each subsequent fiscal year. The
23 annual report shall also include ~~the results of a~~
24 customer-satisfaction survey of businesses served, as well as
25 the lead economic development staff person of each primary
26 partner organization ~~local economic development organization~~
27 ~~that employs a full-time or part-time staff person.~~

28 (8) Enterprise Florida, Inc., in consultation with the
29 Office of Program Policy Analysis and Government
30 Accountability, shall hire an economic analysis ~~a private~~
31 ~~accounting~~ firm to develop the methodology for establishing

1 and reporting return-on-investment ~~and in-kind contributions~~
2 ~~as described in this section~~ and a firm experienced in survey
3 research to develop, analyze, and report on the results of the
4 customer-satisfaction survey. The Office of Program Policy
5 Analysis and Government Accountability shall review and offer
6 feedback on the methodology before it is implemented. ~~The~~
7 ~~private accounting firm shall certify whether the applicable~~
8 ~~statements in the annual report comply with this subsection.~~

9 Section 14. Subsection (3) of section 288.903, Florida
10 Statutes, is amended to read:

11 288.903 Board of directors of Enterprise Florida,
12 Inc.; president; employees.--

13 (3) The board of directors of Enterprise Florida,
14 Inc., and its officers shall be responsible for the prudent
15 use of all public and private funds and shall ensure that the
16 use of such funds is in accordance with all applicable laws,
17 bylaws, or contractual requirements. ~~No employee of Enterprise~~
18 ~~Florida, Inc., may receive compensation for employment which~~
19 ~~exceeds the salary paid to the Governor, unless the board of~~
20 ~~directors and the employee have executed a contract that~~
21 ~~prescribes specific, measurable performance outcomes for the~~
22 ~~employee, the satisfaction of which provides the basis for the~~
23 ~~award of incentive payments that increase the employee's total~~
24 ~~compensation to a level above the salary paid to the Governor.~~

25 Section 15. Paragraph (b) of subsection (1) of section
26 288.904, Florida Statutes, is amended to read:

27 288.904 Powers of the board of directors of Enterprise
28 Florida, Inc.--

29 (1) The board of directors of Enterprise Florida,
30 Inc., shall have the power to:

31

1 (b)1. Make and enter into contracts and other
2 instruments necessary or convenient for the exercise of its
3 powers and functions, except that any contract made with an
4 organization represented on the board of directors that
5 exceeds 5 percent of the total annual amount of contracts of
6 Enterprise Florida, Inc., exclusive of grants, or 5 percent of
7 the represented organization's annual revenue must be approved
8 by a two-thirds vote of the ~~entire~~ board members in attendance
9 at a meeting at which a quorum is present ~~of directors~~, and
10 the board member representing such organization shall abstain
11 from voting. No more than 65 percent of the dollar value of
12 all contracts or other agreements entered into in any fiscal
13 year, exclusive of grant programs, shall be made with an
14 organization represented on the board of directors. This
15 section does not apply to contracts awarded by another entity
16 to an organization represented on the board of directors or to
17 contracts if Enterprise Florida, Inc., is the recipient of
18 funds from an organization represented on the board of
19 directors ~~An organization represented on the board may not~~
20 ~~enter into a contract to receive a state-funded economic~~
21 ~~development incentive or similar grant, unless such incentive~~
22 ~~award is specifically endorsed by a two-thirds vote of the~~
23 ~~entire board. The board member representing such organization,~~
24 ~~if applicable, shall abstain from voting and refrain from~~
25 ~~discussing the issue with other members of the board. No more~~
26 ~~than 50 percent of the dollar value of grants issued by the~~
27 ~~board in any fiscal year may go to businesses associated with~~
28 ~~board members.~~

29 2. A contract that Enterprise Florida, Inc., executes
30 with a person or organization under which such person or
31 organization agrees to perform economic development services

1 or similar business assistance services on behalf of
2 Enterprise Florida, Inc., or on behalf of the state must
3 include provisions requiring that such person or organization
4 report on performance, account for proper use of funds
5 provided under the contract, coordinate with other components
6 of state and local economic development systems, and avoid
7 duplication of existing state and local services and
8 activities.

9 Section 16. Subsection (6) of section 288.905, Florida
10 Statutes, is amended to read:

11 288.905 Duties of the board of directors of Enterprise
12 Florida, Inc.--

13 (6) Any employee leased by Enterprise Florida, Inc.,
14 ~~from the state, or any employee who derives his or her salary~~
15 ~~from funds appropriated by the Legislature,~~ may not receive a
16 pay raise or bonus in excess of a pay raise or bonus that is
17 received by similarly situated state employees. However, this
18 subsection does not prohibit the payment of a pay raise or
19 bonus from funds received from sources other than the Florida
20 Legislature.

21 Section 17. Subsections (3) and (4) of section
22 288.041, Florida Statutes, are repealed:

23 288.041 Solar energy industry; legislative findings
24 and policy; promotional activities.--

25 ~~(3) Enterprise Florida, Inc., and its boards shall~~
26 ~~assist in the expansion of the solar energy industry in this~~
27 ~~state. Such efforts shall be undertaken in cooperation with~~
28 ~~the Department of Community Affairs, the Florida Solar Energy~~
29 ~~Center, and the Florida Solar Energy Industries Association,~~
30 ~~and shall include:~~

31

1 ~~(a) Providing assistance and support to new and~~
2 ~~existing photovoltaic companies, with special emphasis on~~
3 ~~attracting one or more manufacturers of photovoltaic products~~
4 ~~to locate within this state.~~

5 ~~(b) Sponsoring initiatives which aid and take full~~
6 ~~advantage of the export market potential of solar~~
7 ~~technologies.~~

8 ~~(c) Informing the business sector of this state about~~
9 ~~opportunities for cost-effective commercial applications of~~
10 ~~solar technologies.~~

11 ~~(d) Encouraging employment of residents of this state~~
12 ~~by solar energy companies.~~

13 ~~(e) Retaining existing solar energy companies and~~
14 ~~supporting their expansion efforts in this state.~~

15 ~~(f) Supporting the promotion of solar energy by~~
16 ~~sponsoring workshops, seminars, conferences, and educational~~
17 ~~programs on the benefits of solar energy.~~

18 ~~(g) Recognizing outstanding developments and~~
19 ~~achievements in, and contributions to, the solar energy~~
20 ~~industry.~~

21 ~~(h) Collecting and disseminating solar energy~~
22 ~~information relevant to the promotion of solar energy~~
23 ~~applications.~~

24 ~~(i) Enlisting the support of persons, civic groups,~~
25 ~~the solar energy industry, and other organizations to promote~~
26 ~~and improve solar energy products and services.~~

27 ~~(4) The department shall also promote projects that~~
28 ~~demonstrate viable applications of solar technology which may~~
29 ~~include, but shall not be limited to: irrigation and stock~~
30 ~~watering, process heat for dairy and citrus operations,~~
31 ~~aquaculture, hydroponics, horticulture, waste detoxification,~~

1 ~~and other means of meeting the energy needs of the~~
2 ~~agricultural industry.~~

3 Section 18. Subsection (3) of section 288.9015,
4 Florida Statutes, is repealed:

5 288.9015 Enterprise Florida, Inc.; purpose; duties.--

6 ~~(3) It shall be the responsibility of Enterprise~~
7 ~~Florida, Inc., through the Workforce Development Board, to~~
8 ~~develop a comprehensive approach to workforce development that~~
9 ~~will result in better employment opportunities for the~~
10 ~~residents of this state. Such comprehensive approach must~~
11 ~~include:~~

12 ~~(a) Creating and maintaining a highly skilled~~
13 ~~workforce that is capable of responding to rapidly changing~~
14 ~~technology and diversified market opportunities.~~

15 ~~(b) Training, educating, and assisting target~~
16 ~~populations, such as those who are economically disadvantaged~~
17 ~~or who participate in the WAGES Program or otherwise receive~~
18 ~~public assistance to become independent, self-reliant, and~~
19 ~~self-sufficient. This approach must ensure the effective use~~
20 ~~of federal, state, local, and private resources in reducing~~
21 ~~the need for public assistance.~~

22 Section 19. Subsection (2) of section 290.00675,
23 Florida Statutes, is created to read:

24 290.00675 Amendment of certain enterprise zone
25 boundaries.--

26 (1) Notwithstanding any other provisions of law, the
27 Office of Tourism, Trade, and Economic Development may amend
28 the boundaries of an area designated as an enterprise zone in
29 a community having a population of 235,000 persons but less
30 than 260,000, so long as the area does not increase the
31 overall size of the zone by greater than 25 acres and the

1 increased area is contiguous to the existing enterprise zone.
2 The amendment must also be consistent with the limitations
3 imposed by s. 290.0055 upon establishment of the enterprise
4 zone.

5 (2) Notwithstanding any other provisions of law, the
6 Office of Tourism, Trade, and Economic Development may approve
7 requests to amend the boundaries of an area designated as an
8 enterprise zone in a community having a population of 50,000
9 persons but less than 60,000, so long as the area does not
10 increase the overall size of the zone by greater than 400
11 acres and the increased area is contiguous to the existing
12 enterprise zone. The amendment must also be consistent with
13 the limitations imposed by s. 290.0055 upon establishment of
14 the enterprise zone. Such request must be submitted to the
15 office of Tourism, Trade, and Economic Development prior to
16 December 31, 2004.

17 Section 20. Present subsections (15) through (17) of
18 section 626.015, Florida Statutes, are redesignated as
19 subsections (16) through (18), respectively, and a new
20 subsection (15) is added to that section to read:

21 626.015 Definitions.--As used in this part:

22 (15) "Personal lines agent" means a general lines
23 agent who is limited to transacting business related to
24 property and casualty insurance sold to individuals and
25 families for noncommercial purposes.

26 Section 21. Subsection (3) is added to section
27 626.022, Florida Statutes, to read:

28 626.022 Scope of part.--

29 (3) Provisions of this part that apply to general
30 lines agents and applicants also apply to personal lines
31 agents and applicants, except where otherwise provided.

1 Section 22. Subsection (8) is added to section
2 626.241, Florida Statutes, to read:

3 626.241 Scope of examination.--

4 (8) An examination for licensure as a personal lines
5 agent shall consist of 100 questions and shall be limited in
6 scope to the kinds of business transacted under such license.

7 Section 23. Subsection (1) of section 626.311, Florida
8 Statutes, is amended to read:

9 626.311 Scope of license.--

10 (1) Except as to personal lines agents and limited
11 ~~licenses, the applicant for license as~~ a general lines agent
12 or customer representative shall qualify for all property,
13 marine, casualty, and surety lines except bail bonds which
14 require a separate license under chapter 648. The license of
15 a general lines agent may also cover health insurance if
16 health insurance is included in the agent's appointment by an
17 insurer as to which the licensee is also appointed as agent
18 for property or casualty or surety insurance. The license of
19 a customer representative shall provide, in substance, that it
20 covers all of such classes of insurance that his or her
21 appointing general lines agent or agency is currently so
22 authorized to transact under the general lines agent's license
23 and appointments. No such license shall be issued limited to
24 particular classes of insurance except for bail bonds which
25 require a separate license under chapter 648 or for personal
26 lines agents. Personal lines agents are limited to transacting
27 business related to property and casualty insurance sold to
28 individuals and families for noncommercial purposes.

29 Section 24. Section 626.727, Florida Statutes, is
30 amended to read:

31

1 626.727 Scope of this part.--This part applies only to
2 general lines agents, customer representatives, service
3 representatives, and managing general agents, all as defined
4 in s. 626.015. Provisions of this part which apply to general
5 lines agents and applicants also apply to personal lines
6 agents and applicants, except where otherwise provided.

7 Section 25. Subsection (1) of section 626.732, Florida
8 Statutes, is amended to read:

9 626.732 Requirement as to knowledge, experience, or
10 instruction.--

11 (1) Except as provided in subsection (3), no applicant
12 for a license as a general lines agent or personal lines
13 agent, except for a chartered property and casualty
14 underwriter (CPCU), other than as to a limited license as to
15 baggage and motor vehicle excess liability insurance, credit
16 property insurance, credit insurance, in-transit and storage
17 personal property insurance, or communications equipment
18 property insurance or communication equipment inland marine
19 insurance, shall be qualified or licensed unless within the 4
20 years immediately preceding the date the application for
21 license is filed with the department the applicant has:

22 (a) Taught or successfully completed classroom courses
23 in insurance, 3 hours of which shall be on the subject matter
24 of ethics, satisfactory to the department at a school,
25 college, or extension division thereof, approved by the
26 department. To qualify for licensure as a personal lines
27 agent, the applicant must complete a total of 52 hours of
28 classroom courses in insurance;

29 (b) Completed a correspondence course in insurance, 3
30 hours of which shall be on the subject matter of ethics,
31 satisfactory to the department and regularly offered by

1 accredited institutions of higher learning in this state and,
2 except if he or she is applying for a limited license under s.
3 626.321, for licensure as a general lines agent, has had at
4 least 6 months of responsible insurance duties as a
5 substantially full-time bona fide employee in all lines of
6 property and casualty insurance set forth in the definition of
7 general lines agent under s. 626.015 or, for licensure as a
8 personal lines agent, has completed at least 3 months in
9 responsible insurance duties as a substantially full-time
10 employee in property and casualty insurance sold to
11 individuals and families for noncommercial purposes;

12 (c) For licensure as a general lines agent, completed
13 at least 1 year in responsible insurance duties as a
14 substantially full-time bona fide employee in all lines of
15 property and casualty insurance, exclusive of aviation and wet
16 marine and transportation insurances but not exclusive of
17 boats of less than 36 feet in length or aircraft not held out
18 for hire, as set forth in the definition of a general lines
19 agent under s. 626.015, without the education requirement
20 mentioned in paragraph (a) or paragraph (b) or, for licensure
21 as a personal lines agent, has completed at least 6 months in
22 responsible insurance duties as a substantially full-time
23 employee in property and casualty insurance sold to
24 individuals and families for noncommercial purposes without
25 the education requirement in paragraph (a) or paragraph (b);
26 ~~or~~

27 (d)1. For licensure as a general lines agent,
28 completed at least 1 year of responsible insurance duties as a
29 licensed and appointed customer representative or limited
30 customer representative in commercial or personal lines of
31 property and casualty insurance and 40 hours of classroom

1 courses approved by the department covering the areas of
2 property, casualty, surety, health, and marine insurance; or

3 2. For licensure as a personal lines agent, completed
4 at least 6 months of responsible duties as a licensed and
5 appointed customer representative or limited customer
6 representative in property and casualty insurance sold to
7 individuals and families for noncommercial purposes and 20
8 hours of classroom courses approved by the department which
9 are related to property and casualty insurance sold to
10 individuals and families for noncommercial purposes; or

11 (e)1.2. For licensure as a general lines agent,
12 completed at least 1 year of responsible insurance duties as a
13 licensed and appointed service representative in either
14 commercial or personal lines of property and casualty
15 insurance and 80 hours of classroom courses approved by the
16 department covering the areas of property, casualty, surety,
17 health, and marine insurance; or-

18 2. For licensure as a personal lines agent, completed
19 at least 6 months of responsible insurance duties as a
20 licensed and appointed service representative in property and
21 casualty insurance sold to individuals and families for
22 noncommercial purposes and 40 hours of classroom courses
23 approved by the department related to property and casualty
24 insurance sold to individuals and families for noncommercial
25 purposes; or

26 (f) For licensure as a personal lines agent, completed
27 at least 3 years of responsible duties as a licensed and
28 appointed customer representative in property and casualty
29 insurance sold to individuals and families for noncommercial
30 purposes.

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1 Section 26. The Department of Financial Services does
2 not have to begin issuing licenses to personal lines agents on
3 the effective date of this act if the department has not
4 completed the process of incorporating necessary procedures
5 for issuing personal lines licenses into its licensing
6 systems.

7 Section 27. Subsection (1) of section 626.747, Florida
8 Statutes, is amended to read:

9 626.747 Branch agencies.--

10 (1) Each branch place of business established by an
11 agent or agency, firm, corporation, or association shall be in
12 the active full-time charge of a licensed general lines agent
13 who is appointed to represent one or more insurers. Any agent
14 or agency, firm, corporation, or association which has
15 established one or more branch places of business shall be
16 required to have at least one licensed general lines agent who
17 is appointed to represent one or more insurers at each
18 location of the agency including its headquarters location.

19 Section 28. Paragraph (r) is added to subsection (6)
20 of section 627.351, Florida Statutes, to read:

21 627.351 Insurance risk apportionment plans.--

22 (6) CITIZENS PROPERTY INSURANCE CORPORATION.--

23 (r) A salaried employee of the corporation who
24 performs policy administration services subsequent to the
25 effectuation of a corporation policy is not required to be
26 licensed as an agent under the provisions of s. 626.112.

27 Section 29. Except as otherwise expressly provided in
28 this act, this act shall take effect July 1, 2004.

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- 1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 CS/SB 1708
- 4 - Deletes provisions which require 15% of the Community
5 Contribution Tax Credit program be set aside for projects
6 in rural enterprise zones;
- 6 - Amends local government reporting requirements related to
7 the Urban Infill and Redevelopment program;
- 8 - Amends reporting requirements for OPPAGA's required
9 report relating to revitalization of Florida's distressed
10 communities;
- 10 - Provides that proposed amendments to s. 220.13(1)(b),
11 F.S., are effective July 1, 2005;
- 11 - Deletes an appropriation of \$2.5 million for the Urban
12 Infill and Redevelopment Grant Assistance Program;
- 13 - As it relates to Enterprise Florida, Inc. (EFI), amends
14 ch. 288, F.S., to revise provisions related to the EFI
15 board; responsibilities relating to job preparation with
16 the Agency for Workforce Innovation; clarifying the
17 requirements for contributions to EFI; clarifying annual
18 reporting requirements; revising hiring provisions;
19 deleting provisions that require EFI to assist in the
20 expansion of the solar energy industry;
- 17 - Amends ch. 626, F.S., to creates a personal lines agent
21 license which would be limited to transactions involving
22 property and casualty insurance for noncommercial
23 purposes, such as the sale of residential homeowners and
24 personal automobile insurance; and
- 25 - Allows OTTED to approve a request to amend the boundaries
26 of an enterprise zone in a community with a population
27 between 50,000 and 60,000 persons, under certain
28 conditions.
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